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(concluded)*

measured values and forming adjusting signals individually for the said web strands from the common measured value and the individual strand measured values.

REMARKS

The Examiner has noted that the references in the specification have not been considered if a list and other requirements of the U.S. Patent Office rules have not been complied with. Applicant notes that an Information Disclosure Statement was submitted on August 28, 2000. In view of the fact that the outstanding Office Action is subsequent to this date, Applicant requests that the Examiner consider if the Information Disclosure Statement has been matched to the file. Applicant will certainly provide a copy of this Information Disclosure Statement if it is not present in the official file.

Claims 1-4, 6, 7 and 9-13 have been rejected as anticipated by Koch et al. (U.S. 6,092,466).

The Koch reference teaches a system that has the usual color mark and crop mark control for a rotary printing press, in which correcting variables are calculated from web stretching values for the color mark and the crop mark for every individual printed web. Accordingly the Koch reference relates to a position control of the printed webs with respect to each other which control occurs before the webs are brought together into a web to be switched, or bound (connected). Accordingly, Koch fails to teach and fails to suggest the correction of the cutting position of the strand to be stitched on a section between the measurement of the cutting position before the individual printed webs are brought together

and the cutting cylinder. As such, the Koch reference fails to direct the person of ordinary skill in the art toward the combination of features claimed.

The invention presents the essential advantage that the cutting position of the strand to be stitched (H1) is determined or corrected by the measurement of an individual web strand which is part of the strand to be stitched (such as a top most web strand). Accordingly, the Koch reference fails to teach and fails to suggest the combination of features claimed.

Applicant further requests that the Examiner consider prior art which has come to Applicants attention.

U.S. Patent 5,123,316 and corresponding DE 39 35 614 "Niedermaier" discloses two separate control and adjusting devices 62 and 65 that are provided for determining cutting positions of web strands or strands to be connected. However, the reference fails to teach and fails to suggest the feature of the invention that the cutting position of the web strands in the strand to be stitched an the individual strand measured values of the web strands are together sent to one single regulating device. The Niedermaier reference clearly fails to teach or suggest this.

The Niedermaier reference uses sensor 64 to record measure values of cutting positions of web stands before they are brought together. These measured values A and B are sent to a control and adjusting means 65 and are processed with an incremental value of the cutting cylinder 66 to form control signals C, D for the crop mark device 13 of the web strands. In a different control circuit, measured values for the cutting position of the strands to be stitched are recorded by sensors 59 and 60 in the strand to be stitched and are converted in a separate

control and adjusting means 62 with an incremental value 63 of the cutting cylinder into a control signal, which controls the compensator roller 26, 27 of the strand to be stitched. Accordingly, the Niedermaier reference provides two control circuits which are separate from one another. There is a control device for the cutting positions of the web strands and a control device for the cutting positions of the strands to be stitched. As such, Niedermaier relates to a different combination of features and fails to suggest the combination according to the invention. With Niedermaier separate web strand compensator rollers 13 and compensator rollers 26, 27 for the strands to be stitched are used. This presents a different combination.

According to the invention the measured values recorded are processed in a common control device wherein the control is based on the individual and common measured values. Only the final control element needs to be used to regulate the cutting positions of the web strands and the strand to be stitched.

U.S. Patent 5,458,062 corresponding to DE 195 06 744 "Goldberg" has been discussed at page 4, paragraph 2 of the U.S. application. Goldberg presents a system in which only measured values 191-194 of the sensors 121-124 are processed at a common web length control device 140. This presents a different system and different concept as compared to the invention. The invention provides for relative cutting positions of at least one individual web strand and at least one strand to be stitched to be determined and adjusted. The process of Goldberg comprises only the control of the relative positions of the individual side cuts of the single width webs 26-29.

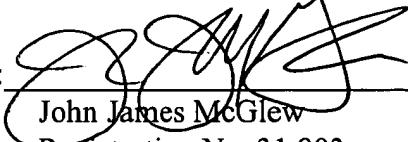
Accordingly, it is Applicant's position that the prior art as a whole fails to suggest the

invention as claimed. It is Applicant's position that claims 5-8 which have also been rejected as obvious based on Koch should also be allowed in view of the allowability of the allowable subject matter presented by the main claims.

Favorable consideration on merits is requested.

Respectfully submitted
for Applicant,

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SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, NO.: EV071196756US

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VERSION OF THE CLAIMS SHOWING CHANGES

1. (AMENDED) A process for determining the cutting positions of web strands, which strands are brought together into a strand to be bound, in a rotary printing press and which strands are cross-cut, the process comprising the steps of:

recording a common measured value for the cutting position of the web strands in the strand to be bound [including];

recording [one], for each of the web strands, an individual strand measured value for the cutting positions of the web strands [being] before bringing [together for each of the said web] the strands together; and

using the recorded measured values to determine the cutting positions of the web strands [including determining cutting positions of the web strands from the individual strand measured values and the common measured value determined for the web strand of] in the strand to be bound in [the strand to be bound].

a control device including determining cutting positions of the web strands from the individual strand measured values and the common measured value determined for the web strand of the strand to be bound.

2. (AMENDED) A process in accordance with claim 1, wherein [said] the strand to be bound and another strand to be bound are brought together and the cutting position of [said] the another strand to be bound is [also] determined by using [the] recorded measured values to determine the cutting positions of [the] web strands of the another strand to be bound including determining cutting positions of the web strands of the another strand to be bound from [the] individual strand measured values and [the] a common measured value determined for the [web strand of said] another strand to be bound in the another strand to be bound.

[another strand to be bound in the another strand to be bound]

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5 5. (AMENDED) A process in accordance with claim 1, wherein values for the cutting positions are set [by hand] manually at the time of the start-up of the rotary printing press and measured values for the cutting positions are stored as reference values.

6. (AMENDED) A device for determining cutting positions of web strands, which are brought together into a strand to be bound, in a rotary printing press and are cross-cut, the device comprising:

10 at least one sensor for the strand to be bound wherein a common measured value for the cutting positions of the web strands in said strand to be bound is recorded; [and]

10 web strand sensors for individually recording individual strand measured values for the cutting positions of the web strands before the web strands are brought together; and

15 a control device receiving the common measured value for the cutting positions of the web strands in the strand to be bound and receiving the individual strand measured values for the cutting positions of the web strands, the control device forming adjusting signals individually for the said web strands from the common measured value and the individual strand measured

values.

9. (AMENDED) A device in accordance with claim[s] 6, wherein said web strand sensors and said sensor for the strand to be bound detect optical print marks, which are always printed along in a same area on the pages of different printed products.

13. (AMENDED) A device in accordance with claim 6, ~~further comprising:~~
~~a]wherein said control device includes:~~
a common control device which forms an adjusting signal for said strand to be bound;
and

~~[a]individual control devices~~ which form[s] individual adjusting signals for said web strands, wherein the common measured value for the cutting positions of the web strands in the strand to be bound is sent to said control device which forms an adjusting signal for the strand to be bound, and the individual strand measured values for the cutting positions of the web strands are sent to said control device which forms individual adjusting signals for the web strands.~~]~~